

PROB 12B
(7/93)FILED
Clerk
District Court

United States District Court

AUG 17 2006

for
*the Northern Mariana Islands*For The Northern Mariana Islands
By _____
(Deputy Clerk)Report for Modifying the Conditions or Term of Supervision
with Consent of the Offender

(Probation Form 49, Waiver of Hearings is Attached)

Name of Offender: **Raymond T. Duenas** Case Number: 97-00018-002

Name of Sentencing Judicial Officer: Alex R. Munson

Date of Original Sentence: September 4, 1997

Original Offense: Distribution of a Scheduled II Controlled Substance, 21 U.S.C. § 841(a)(1)

Original Sentence: 60 months imprisonment and four years of supervised release with conditions to include obey all federal, state, and local laws; participate in drug treatment program approved by the U.S. Probation; obtain and maintain gainful employment; \$100 special assessment fee, and \$5,000 fine. On August 19, 2004, supervised release conditions were modified to include that the defendant remain in school until he receives a high school equivalency diploma and perform 200 hours of community service as a sanction for noncompliance. On November 12, 2004, supervised release was revoked and a sentence of two imprisonment was imposed followed by two years supervised release with conditions to include: refrain from committing another federal, state, or local crime; not unlawfully use, administer, or possess a controlled substance; comply with the standards conditions of supervised release; perform 200 hours of community service in addition to any unsatisfied hours previously ordered; and continue fine payments as determined by the probation officer.

Type of Supervision: Supervised Release Date Supervision Commenced: January 30, 2002

Assistant U.S. Attorney: Timothy E. Moran Defense Attorney: Matthew Smith

PETITIONING THE COURT

To extend the term of supervision years, for a total term years.

To modify the conditions of supervision as follows:

CAUSE

Report for Modifying the
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with Consent of Offender
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The defendant was released from the Federal Bureau of Prisons on August 8, 2006 and commenced supervised release in the District of the Northern Mariana Islands. During a pre-release investigation of Mr. Duenas' proposed residence, this officer discovered a previous Disturbing the Peace Complaint filed with the Department of Public Safety in which Mr. Duenas reportedly broke several items at his mother's house including tables, chairs, and window louvers, and had thrown a cordless telephone at his nephew, Christopher Tudela. According to the police report, Mr. Duenas was angered by his nephew and acted violently. He also threatened to beat up his niece, April Tudela, who attempted to intervene during his violent outburst. On August 10, 2006, in a meeting with the probation officer, the incident was discussed, and Mr. Duenas admitted that he is in need of treatment for substance abuse and anger management. He agreed to the proposed sanction and voluntarily waived his right to a hearing and consented to modify his conditions of supervised release, to include:

- That the defendant shall participate in a treatment program approved by the U.S. Probation Office for substance abuse, which program may include testing to determine whether the defendant has reverted to the use of drugs, and shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, not to exceed eight tests per month, as directed by the probation officer
- That the defendant shall participate in a mental health program for treatment of anger management at the direction of the United States Probation Office;
- That the defendant shall refrain from use of any alcohol
- That the defendant shall obtain and maintain gainful employment
- That the defendant shall obtain a high school equivalency diploma

Based on the information above, this Officer respectfully requests that the Court modify the conditions of supervised release as outlined above. Attached is Probation Form 49, Waiver of Hearing to Modify Conditions of Probation/Supervised Release or Extend Term of Supervision, with Mr. Duenas' consent to the modification.

Reviewed by:



ROSSANNA VILLAGOMEZ-AGUON

for

U.S. Probation Officer
Supervision Unit Leader

Date: August 17, 2006

Respectfully submitted,



by:

MARGARITA WONENBERG

U.S. Probation Officer

Date: August 17, 2006

THE COURT ORDERS



No Action



The Extension of Supervision as Noted Above



The Modification of Conditions as Noted Above



Other


Signature of Judicial Officer

8-17-06

Date

PROB 49
(3/89)

United States District Court

for

District of Northern Mariana Islands

**Waiver of Hearing to Modify Conditions
of Probation/Supervised Release or Extend Term of Supervision**

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

That the defendant shall participate in a mental health program for treatment of anger management at the direction of the United States Probation Office;

That the defendant shall participate in a treatment program approved by the U.S. Probation Office for substance abuse, which program may include testing to determine whether the defendant has reverted to the use of drugs, and shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, not to exceed eight tests per month, as directed by the probation officer

That the defendant shall refrain from use of any alcohol

That the defendant shall obtain and maintain gainful employment

That the defendant shall obtain a high school equivalency diploma

Witness: Margarita DLG. Wonenberg

U.S. Probation Officer

Signed:

Raymond T. Duenas

Probationer or Supervised Releasee

8/10/06

Date